

# ARS □ CSREES □ ERS □ NASS

## *Policies and Procedures*

***Title:*** Term Employment

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***Originating Office:*** Personnel Division  
Personnel Policy and Systems Branch

***This Replaces:*** 417.3, 8/29/80 and Rev. 3/1/82

***Distribution:*** Headquarters, Areas, and Locations

This DIRECTIVE states policy, procedures and responsibilities for effecting term appointments in ARS, and provides information regarding benefits and special conditions of term employment.

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## 1. REFERENCES

For information on:

Federal health insurance benefits, see DIRECTIVE 459.3.

Federal life insurance benefits, see DIRECTIVE 459.2.

Federal retirement program, see DIRECTIVE 425.4.

## 2. ABBREVIATIONS

- CSRS - Civil Service Retirement System
- FPM - Federal Personnel Manual
- OPM - Office of Personnel Management
- PD-POB - Personnel Division, Personnel Operations Branch
- RIF - Reduction-in-Force
- U.S.C. - United States Code
- VISTA - Volunteers in Service to America

## 3. FORMS

- AD-332 - Position Description Cover Sheet
- SF-52 - Request for Personnel Action

## 4. DEFINITIONS

**Appointing authority** is an OPM regulation which provides for a particular type of appointment and defines the circumstances for when the use of the authority is appropriate.

**Term employment** is the employment of an individual in a position in the competitive service which is expected to last longer than 1 year, but will not exceed 4 years. The **work to be done is not of a continuing nature**, thus, the appointment terminates upon completion of the work for which the person was hired.

## 5. AUTHORITIES

## **6. POLICY**

It is ARS policy to make term appointments in accordance with the OPM appointing authority without constraints on the types of positions to which term appointments may be made. PD-POB Section Heads will review and give final approval before term appointments are effected to insure proper use of the authority and good management of the ARS work force.

## **7. RESPONSIBILITIES**

**Head, requesting office**, prepares request for term appointment and assures documentation is complete and accurate.

**Approving Officials**, within area of jurisdiction, approve/disapprove submission of request to PD.

**PD-POB Section Head**, responsible for servicing the geographical location making the request, reviews the request before any action is effected.

## **8. APPROPRIATE USE OF TERM EMPLOYMENT**

Examples of appropriate use of term employment include:

- Carrying out special project work.
- Staffing new or existing programs of limited duration.
- Filling positions in activities undergoing a commercial activity review or which are in the process of being closed.
- Replacing permanent employees who have been temporarily assigned to other positions, are on extended leave, or who have entered military service.

## **9. FILLING POSITIONS BY TERM APPOINTMENT**

Since term appointments are in the competitive service, vacant positions must be announced by PD-POB. Copies of the announcement are sent to appropriate State Employment Service offices and OPM offices. The selection for the position is then made by the selecting official from a list of best-qualified candidates provided by PD-POB.

There are many exceptions to filling a term position through the competitive process mentioned above. These **noncompetitive** procedures may include the employment of: present and former Peace Corps **staff** employees; former career or career-conditional employees with reinstatement rights to the Federal service; former Peace Corps and VISTA volunteers; certain former employees of the Administrative Office of the U.S. Courts; certain working family members of U.S. Government military and civilian employees returning from overseas; certain present and former career Foreign Service employees, and former Canal Zone Merit System and Panama Canal Employment System employees.

Other **noncompetitive** means of filling term positions are: veterans eligible for Veterans Readjustment Appointments; disabled veterans having a compensable service-connected disability of 30 percent or more, and certain former legislative and judicial branch employees.

Since term employment is in the competitive service, persons given term appointments must be citizens of the United States.

## **10. BENEFITS AND RIGHTS OF TERM EMPLOYEES**

**Leave:** Term employees working a regularly scheduled tour of duty in accordance with ARS DIRECTIVE 402.6 are eligible to earn annual and sick leave.

**Benefits:** Term employees working a full or part-time work schedule are eligible to participate in the Federal Employees' Health Benefits and Federal Employees' Group Life Insurance programs.

**Retirement:** Term employees are covered by the Federal Employees' Retirement System. An employee who has been covered by CSRS will retain coverage if term appointment follows employment subject to CSRS coverage and is without a break in service or after a separation of 3 days or less.

**Within-grade Increase:** Term employees are eligible for within-grade increases in accordance with ARS DIRECTIVE 451.6.

## 11. SPECIAL CONDITIONS OF TERM EMPLOYMENT

Term employees:

- Must serve a 1-year trial period. During this time, they are entitled to the same limited protection accorded probationers.
- Are in group III for RIF purposes in the event a RIF action is taken against them prior to the expiration of their term appointment.
- Have protection of 5 U.S.C. 4303 and 5 U.S.C. 7511 in adverse and disciplinary actions such as suspension, demotion, and removal for cause except:
  - While serving their 1-year trial period.
  - Upon expiration of their term appointment.
- May be reassigned, detailed, promoted or demoted, within the time limit of their appointment and only to other positions within ARS which are appropriate for filling by term appointment.
- Are not eligible for transfer to other agencies.
- Do **not** acquire competitive status, i.e., do not have any rights to reemployment in competitive service positions without again competing with other applicants.

## 12. PROCEDURE

Requesting Office

- Submits the following documentation to PD **along with an SF-52**:
  - Description of the circumstances supporting the request for a term appointment, including:
    - Tentative beginning and ending dates.
    - Method of funding.

- Other Federal or non-Federal agencies involved.
- If of a project nature, how other positions assigned to the project will be staffed, i.e., reassignment of permanent employees, other term appointments, etc.
- Certified AD-332 and position descriptions for Term appointment. If position is to be filled at less than the targeted full-performance grade level, position descriptions must be included for both entrance and full-performance levels.

### Approving Officials

- On receipt of request and accompanying documentation, review for appropriateness of appointment, funding, etc.
- **Approved:** Sign and date SF-52 and forward, with accompanying documentation, to PD.
- **Not Approved:** Return to requesting office with explanation for disapproval.

### PD-POB

- On receipt of approved request, review for appropriateness and proper use of the appointing authority, as well as the effect such appointment will have on the management unit. Any concerns should be discussed with the management unit and/or a higher level before effecting the requested action.
- **Approved:** Section Head signs the following statement which is then filed on the temporary side of the appointee's Official Personnel Folder:  
  

"In approving this term appointment, I certify that term appointment is necessary and is the most appropriate and proper means of meeting the staffing needs of this project. The term appointment will be affected according to the regulations of the Department and of the Office of Personnel Management."
- **Not approved:** Return to requesting office with explanation for disapproval.

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Deputy Administrator  
Administrative Management